

Adam B. Nach - 013622
LANE & NACH, P.C.
2001 E. Campbell Ave., Suite 103
Phoenix, AZ 85016
Telephone No.: (602) 258-6000
Facsimile No.: (602) 258-6003
Email: adam.nach@lane-nach.com

Attorney for Brian J. Mullen, Case Trustee

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

In re:

JULIE ANN BRANDT,

Debtor.

(Chapter 7 Case)

No. 2:18-bk-01246-PS

**CASE TRUSTEE'S APPLICATION TO
EMPLOY ATTORNEY/ DECLARATION
OF ATTORNEY**

Brian J. Mullen, ("Case Trustee"), for his Application to Employ Attorney, respectfully alleges as follows:

1. This case was commenced by voluntary petition filed by the Debtor on February 9, 2018.
2. Case Trustee is the duly qualified and acting trustee in this case.
3. To perform the duties of a Case Trustee, Case Trustee requires the services of an attorney for the following purpose:
 - a. To advise and consult with Case Trustee concerning questions arising in the conduct of the administration of the estate and concerning Case Trustee's rights and remedies with regard to the estate's assets and the claims of secured, preferred and unsecured creditors and other parties in interest.
 - b. To appear for, prosecute, defend and represent Case Trustee's interest in suits arising in or related to this case.
 - c. To investigate and prosecute preference and other actions arising under the Case Trustee's avoiding powers.

1 d. To assist in the preparation of such pleadings, motions, notices and orders as are
2 required for the orderly administration of this estate; and to consult with and advise Case Trustee in
3 connection with the operation of or the termination of the operation of the business of the Debtor.

4 4. For the foregoing reasons and all other necessary and proper purposes, Case Trustee
5 desires to retain generally the law firm of Lane & Nach, P.C. ("Attorney") as counsel for the trustee.

6 5. Because Attorney practices in bankruptcy corporate reorganization, trustee and
7 debtor/creditor matters, and because of its experience in those fields, Case Trustee feels that said law firm
8 is well qualified to render the foregoing services.

9 6. Based upon the Declaration attached hereto, Case Trustee believes that said law firm and
10 its members and associates, do not hold or represent any interest adverse to that of your Case Trustee or
11 the Debtor or the estate and that said law firm is a disinterested entity within the meaning of 11 U.S.C.
12 §101(14).

13 7. Case Trustee is informed that the normal billing rates of said law firm at this time are as
14 follows:

15 Attorneys:	\$350 - \$215 per hour
16 Paralegals:	\$150 - \$ 50 per hour

17 8. It is contemplated that Attorney will seek compensation based upon normal and usual
18 hourly billing rates. It is further contemplated that attorneys will seek interim compensation during the
19 case as permitted by 11 U.S.C. §331.

20 9. The Case Trustee brought this case to Attorney on the date indicated below. As a result
21 and in order to expeditiously handle the issues, Attorney immediately commenced work on the file.
22 Attorney routinely copies the file and has an application to employ prepared for filing in due course.
23 Therefore, Case Trustee seeks approval from the Court to employ the firm from the date of such initial
24 consultation.

1 WHEREFORE, Case Trustee prays as follows:

2 a. For authority to employ Attorney, as of the date of this Application, as attorneys to
3 render services in the areas described above with compensation to be paid as an administrative expense in
4 such amounts as this Court may hereinafter determine; and,

5 b. For such other and further relief as this Court deems just and proper.
6

7 DATED: 5/10/2018.
8

9 /s/ Brian J. Mullen, Trustee
Case Trustee

10 COPY of the foregoing delivered via electronic notification to:
11

12 Eric R. Thieroff
Oswalt Law Group, PC
13 3933 S. McClintock Dr., Ste. 500
Tempe, AZ 85282
Email: ethieroff@oswaltlawgroup.com
14 Attorney for Debtor

15 Office of U.S. Trustee
230 North First Avenue
16 Phoenix, AZ 85003
Email: Edward.K.Bernatavicius@usdoj.gov
17 Email: ustpregion14.px.ecf@usdoj.gov

18 By /s/ Danica Acosta
19
20
21
22
23
24
25
26
27
28

DECLARATION OF ADAM B. NACH

I, Adam B. Nach, declare:

A. I am an attorney duly admitted to practice before all courts of the State of Arizona, as well as this Court and the Court of Appeals for the Ninth Circuit.

B. I am a member of Lane & Nach, P.C., the law firm that the Case Trustee is seeking to employ generally by the Application to which this Declaration is attached. I am a certified specialist in the practice of Bankruptcy Law. All of the members and associates of this law firm are admitted to practice in this state and before this Court.

C. The attorneys employed by the law firm of Lane & Nach, P.C. have extensive experience in bankruptcy, insolvency, corporate reorganization and debtor/creditor law. The firm is well qualified to represent the Case Trustee generally herein, and is willing to accept employment on the basis set forth in the annexed Application.

D. The law firm of Lane & Nach, P.C. and its associates do not hold any interest or connections to this estate, adverse or otherwise, or with the Debtor, creditors, or any other party-in-interest, their respective attorneys and accountants, the Case Trustee, or any person employed in the Office of the United States Trustee; and, said law firm is a disinterested entity as defined in 11 U.S.C. §101(14).

E. Neither the undersigned nor the law firm have shared or agreed to share compensation in this case with anyone except as professional fees are normally divided among members of Lane & Nach, P.C.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: May 10, 2018.

/s/ Adam B. Nach
Adam B. Nach